

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TAPESTRY, INC. et al., :
Plaintiffs, : 20-CV-0271 (JMF)
-v- :
CHUNMA USA, INC. et al., :
Defendants. :
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JESSE M. FURMAN, United States District Judge:

Plaintiffs are invited to file a sur-reply brief addressing Defendants' argument in their reply brief that Plaintiffs fail to state a claim for cancellation of Defendants' trademark registrations based on misrepresentation of the source of goods, as opposed to mere likelihood of confusion. *See* ECF No. 71, at 5-7. Although Plaintiffs adverted to this argument in their opening brief, *see* ECF No. 68, at 2; *cf. id.* at 8, they did not develop it or cite supporting authority until their reply. Under these circumstances, the Court concludes that Plaintiffs should be afforded an opportunity to respond. Any sur-reply brief shall be limited to this topic, shall not exceed **five pages**, and shall be filed no later than **April 1, 2021**.

SO ORDERED.

Dated: March 25, 2021
New York, New York



JESSE M. FURMAN
United States District Judge